IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 9918 of 1998

For Approval and Signature:

HONOURABLE MR.JUSTICE K.M.THAKER

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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MAHESH MURLIDHAR DODANI THRO' BHARATIBEN MURLIDHAR DODANI - Petitioner(s)
Versus
GUJARAT UNIVERSITY & 2 - Respondent(s)

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Appearance :

MR DJ BHATT for Petitioner(s) : 1,
MRS VD NANAVATI for Respondent(s) : 1,
RULE SERVED BY DS for Respondent(s) : 2 - 3.
Mr. Pandya, Asst.GOVERNMENT PLEADER for Respondent(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE K.M.THAKER

Date : 26/11/2007
ORAL JUDGMENT

Heard Mr. DJ Bhatt for petitioner, Mrs. VD Nanavati for respondent No.1, and Mr. Pandya for respondent No.3. The petitioner moved this petition

challenging the action of the respondents of not granting admission to the petitioner in the course of M.Sc. (Computer Application and Information Technology). This Court [Coram: Hon'ble Mr. Justice K.R. Vyas, as His Lordship then was] by order dated 30th December 1998 admitted the petition and also passed an order granting interim relief whereby the respondents were directed to grant admission to the petitioner.

2. Today, when the matter is taken up, the advocate for the petitioner states that the petition has become infructuous because petitioner, at the relevant time, was granted admission and thereby the direction by way of interim relief was complied with and was not challenged and by now the petitioner has already completed the course and has passed out. The advocate for the respondent does not dispute that statement. In view of the statement by the petitioner, the petition has lost the relevance since by now the petitioner has already completed his studies and has passed out. Otherwise also, it would not be in the interests of justice to put the clock back. Under the circumstances, the petitioner's Advocate seems to be right in contending that the petition has become infructuous. The statement and request of the petitioner's Advocate is not disputed. Hence the petition is disposed of as infructuous. Rule is discharged. No order as to costs.

Rmr. [K.M. Thaker, J.]